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O 120549Z JAN 07  
FM AMEMBASSY NAIROBI  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6602  
INFO RUCNSOM/SOMALIA COLLECTIVE IMMEDIATE  
RHMFIUU/CJTF HOA IMMEDIATE  
RHMFIUU/HQ USCENCOM MACDILL AFB FL IMMEDIATE  
RHEHNSC/NSC WASHDC IMMEDIATE

UNCLAS NAIROBI 000213

SIPDIS

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DEPT FOR AF/E, AF/RSA, AND A/S FRAZER

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PTER](#) [ASEC](#) [MOPS](#) [SO](#) [ET](#) [KE](#)

SUBJECT: ICRC LETTER ON SOMALIA

¶1. On January 11 Embassy Nairobi received a letter from the International Committee of the Red Cross (ICRC) informing the USG that the ICRC considers U.S. actions in Somalia to be governed by the rules applicable to situations of non-international armed conflict. Full text follows in para ¶2.

¶2. Begin Text:

The Regional Delegation of the International Committee of the Red Cross (ICRC) in Nairobi presents its compliments to the Embassy of the United States of America and has the honor to draw its attention to the following.

The ICRC is of the opinion that the military operations carried out by the American forces in the context of the armed conflict currently taking place in Somalia are governed by the rules applicable to situations of non-international armed conflict.

The ICRC as promoter and custodian of international humanitarian law, and pursuant to the specific mandate conferred on it by the international community, wishes to recall the Government of the United States of America that military operations must be conducted in accordance with Article 3 common to the Geneva Conventions and customary principles and rules applicable in such situations of non-international armed conflicts. The annexed memorandum sets out fundamental provisions of international humanitarian law that must be respected. Similar documents have been communicated on 24.12.06 to the Transitional Federal Government of Somalia, on 25.12.06 to the Government of Ethiopia and on 24.12.06 to the Somali Islamic Courts Council.

The ICRC is confident that the Government of the United States of America will take every measures required to facilitate the humanitarian action of the ICRC and to respect its obligations under international humanitarian law.

The International Committee of the Red Cross avails itself of this opportunity to convey to the Embassy of the United States of America in Nairobi the assurance of its high consideration.

Nairobi, January 9, 2007

End Text.  
RANNEBERGER